

Montana Arts Council
Artists in Schools and Communities FY 2007
Special Project Application

The Application

All responses must be typed.

Please submit one copy of the application and all attachments. Applications that do not meet the guidelines will be returned for revision and completion.

A. Site Information

Sponsor Name (School/Organization) _____

Address _____

City _____ County _____

State _____ Zip code _____

Principal / Executive or Artistic Director _____

Phone: Day _____

Fax _____

e-mail _____

Project Contact Person _____

Title _____

Phone: Day _____ Evening _____

Fax _____ e-mail _____

Federal Tax ID # _____

Is this Sponsor's first year of participation in the Artists in Schools and Communities program?

Yes ☐ No ☐

Check here if you are a Class C or Title One School ☐

Check here if you are a small rural school supervised by a county superintendent ☐

Tentative Project Start and End Dates _____

B. Artist, company, folklorist, arts organization, consultant, if applicable

Name _____

(Attach resume or biography and work sample if not listed in the Artists Registry)

C. Narrative

Please address each of the following questions using no more than two single-sided typed pages.

1. Give a brief description of the project; include the artistic and educational learning objectives of the project and special information that would be helpful in understanding the outcome of the project.
2. How you will evaluate whether the project met the objectives?
3. How do you plan to continue the program after the grant period?
4. Timeline for the project
5. If applicable, the name of the consultant(s) involved and how and why they were chosen
6. Describe your partners and their roles in the planning and implementation of the project.
7. How does this project integrate with the school's current curriculum or the organization's programming?

D. Authorizing Official (principal, superintendent, director, staff person)

I/We do hereby certify that all figures, facts and representations made in this application, including all exhibits and attachments made a part of this application, are true and correct to the best of my/our knowledge and belief. I/We certify that we have read and accept the Terms and Conditions.

Name

Title

Signature

Date

Note: Applications will not be considered unless also signed by artist below

Artist, Folklorist, Company, Arts Organization or Consultant

I have worked with the Sponsor applicant on developing this proposal and am in agreement with all the information presented herein.

Signature

Date

By signing this application, the signatories agree to permit the Montana Arts Council to use photographs made of this residency and public activities connected with the residency for Arts Council publications and press releases only.

BUDGET for FY 2007

Project Costs (please note what is **not** funded in the guidelines)

1. Consultant, Artist, or Folklorist Fee \$_____
 2. Travel/Lodging/Meals for consultant, artist, or folklorist
 - (a) Travel (allowance 48.5¢ per mile) or commercial transportation \$_____
 - (b) Lodging (allowance \$64.20 per day) \$_____
 - (c) Meals (allowance \$23 per day) \$_____
 3. Printing, supplies, etc. (please describe) \$_____
-
4. Space Rental * \$_____

Total Project Costs \$_____

Project Revenue

1. Admissions/workshop fees \$_____
 2. Other Revenue \$_____
 3. Funding Received \$_____
- (specify source) _____
4. Funding Anticipated \$_____
- (specify source) _____

Subtotal Sponsor Revenue \$_____

Montana Arts Council Grant Request** \$_____

Total project Revenue \$_____

* Must be outside the Sponsor's facility and requires a cash payment

** Must be no more than 50% of total project cash expense except for organizations eligible for 2/3 support. This grant requires a cash match of non-federal money.

If you are submitting a two-year long-term grant and FY 2008 (7-1-07 to 6-30-08) is going to be 10% different than FY 2007, please explain the areas of difference on a separate sheet of paper.

Mail to: Montana Arts Council, PO Box 202201, Helena, MT 59620-2201

Assurances

Please read these Terms and Conditions carefully.

Applicant organizations must adhere to federal and state fair labor standards, civil rights statutes, handicapped accessibility regulations, age discrimination statutes, regulations regarding lobbying with appropriated monies, and accounting record requirements.

1. **Fair Labor Standards:** All professional artists and related or supporting professional personnel employed on projects or productions which are financed in whole or in part under the grant will be paid, without subsequent deduction or rebate on any account, not less than the minimum compensation as determined by the Secretary of Labor to be the prevailing minimum compensation for persons employed in similar activities. No part of any project or production which is financed in whole or in part under the grant will be performed or engaged in under working conditions which are unsanitary or hazardous or dangerous to the health and safety of the employees engaged in such project or production. Compliance with the safety and sanitary laws of the State in which the performance or part thereof is to take place shall be prima facie evidence of compliance.
2. **Title VI of the Civil Rights Act of 1964**, as amended, provides that no person in the United States shall, *on the grounds of race, color or national origin*, be excluded from participation in, be denied the benefits of, or be subject to discrimination under any program or activity receiving Federal financial assistance (Section 601).
3. **Title IX of the Education Amendments of 1972** provides that no person in the United States shall, *on the basis of sex*, be excluded from participation in, be denied benefits of, or be subject to discrimination under any education program or activity receiving Federal financial assistance.
4. **The Age Discrimination Act of 1975** provides that no person in the United States shall, *on the basis of age*, be excluded from participation in, be denied benefits of, or be subject to discrimination under any program or activity receiving Federal financial assistance.
5. **Disabilities: Section 504 of the Rehabilitation Act of 1973** provides that no otherwise qualified individual with a disability in the United States, as defined in Section 7(6) shall, *solely by reason of his/her disability*, be excluded from participation in, be denied benefits of, or be subject to discrimination under any program or activity receiving Federal assistance. **The Americans with Disabilities Act of 1990 ("ADA")** prohibits discrimination *on the basis of disability* in employment (Title I), state and local government services (Title II), and places of public accommodation and commercial facilities (Title III). Like Section 504 regulations, the ADA's definition of a disabled person extends beyond those who are visually, hearing, mobility, and learning impaired to include individuals with AIDS or infected with HIV, the AIDS virus.
6. **Section 504 – Self-Evaluation.** A self-evaluation must be on file at your organization.
*For the purposes of Section 504, the term "handicapped individual" means any person with (a) a physical or mental disability which substantially limits one or more of such person's major life activities, (b) has a record of such a disability, or (c) is regarded as having such a disability.
7. **Other Assurances:** The Endowment's enabling legislation that requires "artistic excellence and artistic merit" to be included in the criteria upon which grants are awarded.
8. **Regulations relating to Suspension, Termination and Debarment** (45 C.F.R. pt. 1154) in which the Applicant certifies that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in covered transactions by any Federal department or agency, nor has, within the three years preceding the submission of this application, been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with a public (Federal, state, or local) transaction or a contract under a public transaction; for violation of Federal or state antitrust statutes; for commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property; had any public transactions terminated for cause or default; or is presently indicted for or otherwise criminally or civilly charged by a governmental entity with any of the preceding offenses. Grants or cooperative agreements may be terminated in whole or in part – a. by the Endowment, if a recipient materially fails to comply with the term and conditions of an award; b. by the Endowment with the consent of the recipient, in which case the two parties shall agree on the termination conditions, including the effective date and, in the case of partial termination, the portion of the project to be terminated; or c. by the recipient upon sending to the Endowment written notification setting forth the reasons for such termination, the effective date, and, in the case of partial termination, the portion of the project to be terminated. However, if the Endowment determines that the reduced or modified portion of the award will not accomplish the purposes for which the award was made, it may terminate the award in its entirety either unilaterally or with the consent of the recipient. When the Endowment determines that a recipient has failed to comply with the terms of the award, the Endowment may suspend or terminate the award for cause. Normally, this action will be taken only after the recipient has been notified of the deficiency and given sufficient time to correct it, but this does not preclude immediate suspension or termination when such action is required to protect the interests of the government.
9. **18 U.S.C. Sec. 1913 Lobbying with Appropriated Moneys.** "No part of the money appropriated by any enactment of Congress shall, in the absence of express authorization by Congress, be used directly or indirectly to pay for any personal service, advertisement, telegram, telephone, letter, printed or written matter, or other device, intended or designed to influence in any manner a Member of Congress, to favor or oppose, by vote or otherwise, any legislation or appropriation by congress, whether before or after the introduction of any bill or resolution proposing such legislation or appropriation; but this shall not prevent officers or employees of the United States or of its departments or agencies from communicating to members of congress on the request of any Member or to congress, through the proper official channels, requests for legislation or appropriations which they deem necessary for the efficient conduct of the public business." **OMB Circular**

A-122 – “Lobbying” Revision makes clear that lobbying is an unallowable cost. **Certification Regarding Lobbying to Obtain Grants** (Section 319 of Public Law 101-121, codified at 31 U.S.C. Sec. 1352). This law prohibits the use of Federally-appropriated funds to pay costs associated with lobbying members of Congress, employees of Congress, and employees of Federal agencies with respect to the award or amendment of any Federal grant, cooperative agreement, contract, or loan. While applicants, grantees, and cooperators may use non-Federal funds for such activities, use of these funds must be disclosed to the Federal agency. The law exempts from the disclosure requirement the lobbying activities of long-term employees (those employed or expected to be employed for more than 130 days) of an applicant or grantee. The law also exempts from the definition of lobbying certain agency and legislative liaison activities and professional and technical services by applicant and grantees. This law requires applicants who request or are recommended to receive more than \$100,000 in Federal funds to execute a certification, prior to award, that they have not and will not use Federally-appropriated funds for lobbying; that they will disclose (through a government standard form) the use of other funds for lobbying activities; and that they will require similar certifications from sub-grantees or contractors who receive more than \$100,000 under the grant-supported project.

10. **Accounting Records Supported by Source Documentation:** because grant awards are made up, in part, of Federal funds from the National Endowment for the Arts, recipient organizations (sub grantees) are required by the Federal Office of Management and Budget to maintain accounting records which are supported by source documentation, should there arise the need to audit the organization's use of grant funds.
 - a) OMB Circular A-87, “Cost Principles for State and Local Governments,” as amended: state, local and Federally-recognized Indian tribal governments;
 - b) OMB Circular A-122, “Cost Principles for Non-profit Organizations,” as amended; non-profit organizations, exclusive of institutions of higher education; and
 - c) OMB Circular A-21, “Cost Principles for Educational Institutions,” as amended: public and private institutions of higher education.
11. **Drug-Free Workplace Act of 1988 (41 U.S.C. 701 et seq.)** provides that the Grantee will provide a drug free workplace by:
 1. publishing a statement notifying employees that the unlawful manufacture, distribution,, dispensing, possession, or use of a controlled substance is prohibited in the workplace and specifying the actions that will be taken against employees for violation of such prohibition;
 2. establishing an ongoing drug-free awareness program to inform employees about:
 - a. the dangers of drug abuse in the workplace;
 - b. the sub-grantee’s policy of maintaining a drug-free workplace,
 - c. any available drug counseling, rehabilitation, and employee assistance programs; and
 - d. the penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;
 3. making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph 1;
 4. notifying the employee in the statement required by paragraph 1 that, as a condition of employment under the grant, the employee will:
 - a. abide by the terms of the statement; and
 - b. notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction
 5. Notifying the Council in writing, within ten calendar days after receiving notice under subparagraph 4b, from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to the Council as well as the grant number(s) of each affected grant;
 6. taking one of the following actions within 30 calendar days of receiving notice under subparagraph 4b, with respect to any employee who is so convicted:
 - a. taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
 - b. requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a federal, state, or local health, law enforcement, or other appropriate agency;
 7. To maintain a drug-free workplace through implementation of paragraphs 1 through 6.
12. **Equipment**
Consists with 41 U.S.C. 10a-10c, “Buy American Act,” grantees who are purchasing equipment and products through an Endowment-supported grant are encouraged, whenever possible, to purchase American-made equipment and products.

IMPORTANT ADDITIONAL INFORMATION

1. Uniform Administrative Requirements

- a. Grant recipients which are units of state and local governments are Federally-recognized Indian Tribal Governments are subject to the administrative requirements codified by the Endowment at 45 CFR Part 1157 – “Uniform Administrative Requirements for Grants & Cooperative Agreements to State and Local Governments” (“Common Rule”)
- b. Sub-grantees which are non-profit organizations, colleges and universities are subject to the requirements of Office of Management and Budget (OMB) circular A-110, “Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals and Other Non-profit Organizations,” as amended.

2. *Native American Graves Protection and Repatriation Act of 1990 applies to any organization which controls or possesses Native American human remains and associated funerary objects, and which receives Federal funding, even for a purpose unrelated to the Act. (25 U.S.C. 3001 et seq.)*

3. *National Historic Preservation Act of 1966, as amended. This law applies to any Federal funds that would support either the planning or major renovation of any structure eligible for or on the National Register of Historic Places, in accordance with Section 106 of the National Historic Preservation Act of 1966. This law also applies to new construction that would affect such properties. Your state arts agency or regional arts organization, in conjunction with your State Historic Preservation Officer, is required to provide the Arts Endowment with a finding as to the impact of your plan or renovation on the structure or any affected properties. Any substantial change in your renovation or construction plans must be submitted to the Arts Endowment through your state arts agency or regional arts organization for review and approval prior to undertaking any of the proposed changes. (16 U.S.C. 470)*

4. *National Environmental Policy Act of 1969.* This law applies to any Federal funds that would support an activity which may have environmental implications. Your state arts agency or regional arts organization may request that you provide information to the Arts Endowment in response to specific questions in accordance with the National Environmental Policy Act of 1969. The Arts Endowment will then determine whether to undertake an environmental assessment or issue a “finding of no significant impact.” A “finding of no significant impact” requires no additional action by the Arts Endowment or you. (42 U.S.C. Section 4332)

5. *A-133 Audit Requirements.* OMB Circular A-133, “Audits of States, Local Governments and Nonprofit Organizations,” includes specific guidance for conducting financial and compliance audits. The threshold for requiring an audit is \$300,000 in yearly expenditures of Federal awards. This amount is the aggregate of funds from all Federal sources.

6. *Foreign Travel.* Foreign travel is not funded.

7. *Final Report.* Subgrantees are required to submit final expenditure and descriptive reports at the completion of their project. Subgrantees with two-year grants must complete a final report at the end of each fiscal year.

The following procedure governs receipt of all final reports:

- A written reminder and e-mail is sent out the 1st of June to all grantees who have not yet submitted a final report reminding them that final reports are due by September 15th. Paper forms and web address information (for on-line forms) will also be provided at that time. Final reports not received by September 30th are delinquent. The only exception to this requirement are grantees who have submitted a written request for extension, stating the extenuating circumstances which do not permit timely submission of final reports, and who have subsequently received a written extension from the Council. The same procedures below will be applied to grantees who are delinquent following the end of their extended deadline.
- A written reminder, return receipt requested, is sent to delinquent grantees at September 30th reminding them that their reports are delinquent and that they have 30 days to submit them.
- On October 30th, a letter, return receipt requested, is sent to the board presidents of delinquent grantees letting them know that final reports were due on September 15th and have not been received and that they have until November 30th to get the final reports in.
- On November 30th, written notification will be sent to the MAC Executive Committee. Failure to submit final reports by the Council meeting where grant awards are made will render the grantee ineligible for a grant award.
It is the responsibility of the grantee to have proof of delivery of final reports to MAC.

8. *Per State law MCA 2-3-203. Meetings of public agencies and certain associations of public agencies to be open to public –exceptions.* (1) All meetings of public or governmental bodies, boards, bureaus, commissions, agencies of the state, or any political subdivision of the state or organizations or agencies supported in whole or in part by public funds or expending public funds must be open to the public.

This means all organizations funded by state monies at any level must open their meetings to the public. For complete details, please refer to the law above located on the web at: <http://data.opi.state.mt.us/bills/mca/2/3/2-3-203.htm>
The 2003 Legislature made a change in this law that now requires every board covered by the open meeting act also to have a public comment session that allows individuals to comment on matters that are within the jurisdiction of the agency conducting the meeting, even if they are not on the agenda of the meeting. If something is on the agenda, then the person shall be required to wait until it comes up and not speak during the general public comment period.

The applicant will comply with all State of Montana laws including the open meeting law.